



1 UNITED STATES OF AMERICA

3 vs.

4 **BARBARA FAYE HAIGHT**

5 Name

12-CR-17-WFN-3

File No.

7  
8 **AGREEMENT FOR PRE-TRIAL DIVERSION**

9 It appearing that you are reported to have committed an offense against the  
10 United States on or about January 10, 2012, in violation of Title 18, United States  
11 Code, Section 752(a), in that you did Aid and Assist the Escape of Federal  
12 Prisoner SANDRA DUFFY, upon your accepting responsibility for this act, and it  
13 further appearing, after an investigation of the offense, and your background, that  
14 the interest of the United States and your own interest and the interest of justice  
15 will be served by the following procedure, therefore,

16 On the authority of the Attorney General of the United States, by Michael C.  
17 Ormsby, United States Attorney for the Eastern District of Washington,  
18 prosecution in this District for this offense shall be deferred for a period of 18  
19 months, *supervised* by the United States Probation Office, from the date of the  
20 filing/signing of this agreement, provided you abide by the following conditions  
21 and the requirements of the program set out below:

22 Should you violate the conditions of this supervision, the United States  
23 Attorney may revoke or modify any conditions of this pre-trial diversion program  
24 or change the period of supervision which shall in no case exceed twenty four  
25 months. The United States Attorney may at any time within the period of your  
26 supervision initiate prosecution for this offense should you violate the conditions  
of this supervision and will furnish you with notice specifying the conditions of  
your program which you have violated.

If, upon completion of your period of supervision, a pre-trial diversion  
report is received to the effect that you have complied with all the rules,

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1 regulations and conditions above mentioned, no prosecution for the offense set out  
2 on page 1 of this agreement will be instituted in this District, and any indictment  
3 or information will be discharged. Additionally, if after 12 months you have  
4 successfully completed the terms of this agreement and have no violations of its  
conditions you may motion the Court for early termination of your supervision.

5 Neither this agreement nor any other document filed with the United States  
6 Attorney as a result of your participation in the Pre-Trial Diversion Program will  
7 be used against you, except for impeachment purposes, in connection with any  
prosecution for the above described offense.

8 **CONDITIONS OF PRE-TRIAL DIVERSION**

9  
10 1. **Cooperation:**

11 The Defendant agrees to cooperate completely and truthfully with the  
United States as follows:

12 (a.) **Debriefings:**

13 The Defendant agrees to participate in full debriefings by federal and local  
14 investigative agencies about all the Defendant's knowledge of illegal conduct  
involved in this investigation, at times and places to be decided by these agencies.  
15 The Defendant agrees to provide complete, accurate and truthful information to  
these agencies. The Defendant agrees to not falsely implicate any person or entity  
16 and agrees to not protect any person or entity through false information or  
omission.

17 It is understood that the Defendant may have an attorney present at any or  
all such debriefings.

18 (b.) **Testimony:**

19 The Defendant agrees to testify completely and truthfully at any subsequent  
20 hearing, grand jury proceeding, or other federal or state court proceeding  
involving co-defendants or any other person involved in this criminal  
investigation.

21 Both the Defendant and the United States agree to request a reasonable  
22 continuance of the sentencing date in order to ensure that the Defendant testifies  
pursuant to this provision prior to sentencing.

23 (c.) **Notification:**

24 The Defendant agrees to immediately notify the United States Attorney's  
25 Office if the Defendant is contacted, interviewed, subpoenaed or requested to

1 testify for or against any other person.

2 (d.) Effect of Breach:

3 The Defendant agrees that if the Defendant breaches this Pre Trial  
4 Diversion Agreement, the agreement is null and void and the Defendant expressly  
5 waives the right to challenge the initiation of additional charges against the  
6 Defendant for any criminal activity and agrees that the United States may make  
7 derivative use of and may pursue any investigative leads suggested by the  
8 Defendant's statements and cooperation.

9 This agreement does not protect the Defendant from prosecution for perjury,  
10 obstruction of justice, or any other offense should the Defendant commit any  
11 crime during the Defendant's cooperation under this agreement.

12 2. You shall comply with the standard conditions of supervision  
13 as directed by the United States Probation Office.

14 3. As standard condition of supervision, you shall maintain employment.  
15 If you are not employed, you shall complete 40 hours of community service.

16 BARBARA FAYE HAIGHT, assert and certify that I am aware of the fact that the  
17 Sixth Amendment to the Constitution of the United States provides that in all  
18 criminal prosecutions the accused shall enjoy the right to a speedy and public trial.  
19 I also an aware that Rule 48(b) of the Federal Rules of Criminal Procedure  
20 provides that the Court may dismiss an indictment, information, or complaint for  
21 unnecessary delay in presenting a charge to the Grand Jury, filing an information  
22 or in bringing a defendant to trial. I hereby request that the United States Attorney  
23 for the Eastern District of Washington defer any prosecution of me for violation of  
24 Title 18 United States Code, Section 752(a) for a period of 18 months, and to  
25 induce him to defer such prosecution I agree and consent that any delay from the  
26 date of this Agreement to the date of the initiation of the prosecution, as provided  
for in the terms expressed herein, shall be deemed to be a necessary delay at my  
request and I waive any defense to such prosecution on the ground that such delay  
operated to deny my rights under Rule 48(b) of the Federal Rules of Criminal  
Procedure and the Sixth Amendment to the Constitution of the United States to a  
speedy trial or to bar the prosecution by reason of the running of the statute of  
limitations for a period of 24 months, which is the maximum potential period of  
this Agreement.

1  
2 I hereby state that the above has been read by me. I understand the  
3 conditions of my pre-trial diversion and agree that I will comply with them.  
4

5 Barbara Faye Haight 4-30-2012  
6 BARBARA FAYE HAIGHT DATE  
7

8 Ronald Van Wert  
9 04-30-2012  
10 RONALD VAN WERT DATE  
11 Defendant's Attorney  
12

13 Stephanie Van Marter 4-30-12  
14 STEPHANIE VAN MARTER DATE  
15 Assistant United States Attorney  
16  
17

18 APPROVED without passing judgment on the merits or wisdom of this diversion.  
19

20 Wm. Fremming Nielsen 4/30/12  
21 Wm. Fremming Nielsen DATE  
22 United States District Court Judge  
23  
24  
25  
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